

EXHIBIT 22

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UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

No. 04-CV-11948-RGS

SEYED MOHSEN HOSSEINI-SEDEHY,

Plaintiff

vs.

ERIN T. WITHINGTON and the CITY

OF BOSTON,

Defendants

DEPOSITION OF ERIN T. WITHINGTON

Thursday, March 31, 2005

10:00 a.m. - 4:32 p.m.

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Reporter: Cynthia C. Henderson/RPR

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Erin T. Withington - March 31, 2005

<p style="text-align: right;">202</p> <p>1 Q. Are you aware of why the practice exists?</p> <p>2 A. No, and as I was eight months pregnant, so</p> <p>3 it would have been for my safety as well.</p> <p>4 Q. Was there anything that Mr. Hosseini did or</p> <p>5 said during that interview that caused you concern</p> <p>6 for your safety?</p> <p>7 A. No.</p> <p>8 Q. Did Detective Salley sit in with your</p> <p>9 interview that you had with Bavis and Joe Perry?</p> <p>10 A. No.</p> <p>11 Q. Why is that?</p> <p>12 A. I didn't ask anyone to sit in with me.</p> <p>13 Q. Did you tape record this interview with Mr.</p> <p>14 Hosseini?</p> <p>15 A. No.</p> <p>16 Q. Why not?</p> <p>17 A. It wasn't a practice then.</p> <p>18 Q. Is it a practice now?</p> <p>19 A. Yes.</p> <p>20 Q. Why is it a practice now?</p> <p>21 A. I don't know. The Boston Police just came</p> <p>22 out with it.</p> <p>23 Q. Were you aware of the reason for this</p> <p>24 practice?</p>	<p style="text-align: right;">204</p> <p>1 Mr. Hosseini?</p> <p>2 A. Yes.</p> <p>3 Q. Now, in that interview you start out with a</p> <p>4 conversation that Mr. Hosseini stated to you that he</p> <p>5 thought he was there because Joe Perry had filed</p> <p>6 sexual harassment charges against him. Is that</p> <p>7 correct?</p> <p>8 A. Yes.</p> <p>9 Q. And he went on to tell you that</p> <p>10 Mr. Perry was a very lazy worker?</p> <p>11 A. Yes.</p> <p>12 Q. And he had had issues about</p> <p>13 Mr. Perry's laziness?</p> <p>14 A. Yes.</p> <p>15 Q. When you received this information from Mr.</p> <p>16 Hosseini did you try to confirm that information,</p> <p>17 that Mr. Joseph Perry was a lazy worker, with</p> <p>18 anybody?</p> <p>19 A. No.</p> <p>20 Q. Why not?</p> <p>21 A. It had no relevance to my case.</p> <p>22 Q. Well, did you consider that Mr. Perry might</p> <p>23 have had a motive to lie and make something up about</p> <p>24 Mr. Hosseini when he presented to you on December</p>
<p style="text-align: right;">203</p> <p>1 A. I would assume --</p> <p>2 MS. AMBARIK: Don't assume.</p> <p>3 A. Okay. Then, no, I am not.</p> <p>4 Q. In your training and experience you haven't</p> <p>5 been advised of why you now have to tape record</p> <p>6 interviews?</p> <p>7 A. No.</p> <p>8 Q. Did you have a tape recorder in the Sexual</p> <p>9 Assault Unit on this day, March 4th, 2004?</p> <p>10 A. Yes.</p> <p>11 Q. And do you remember verbatim what</p> <p>12 Mr. Hosseini told you on that day?</p> <p>13 A. No.</p> <p>14 Q. And why is it that you chose not to tape</p> <p>15 record Mr. Hosseini's interview on March 4, 2004?</p> <p>16 A. I just didn't.</p> <p>17 Q. Was that interview important to your</p> <p>18 investigation?</p> <p>19 A. Yes.</p> <p>20 Q. Why was it important?</p> <p>21 A. Because Mr. Hosseini was the focus of my</p> <p>22 investigation.</p> <p>23 Q. Does this report include all the important</p> <p>24 details of your interview with</p>	<p style="text-align: right;">205</p> <p>1 the 22nd, 2003?</p> <p>2 A. Mr. Perry wasn't my reporting victim.</p> <p>3 Q. But you nevertheless listened to his</p> <p>4 statement, did you not?</p> <p>5 A. Yes.</p> <p>6 Q. And you listened to his statement because</p> <p>7 it concerned the focus of your investigation, did it</p> <p>8 not?</p> <p>9 A. I listened to it because he was there with</p> <p>10 his friend to support him and state these things</p> <p>11 happened to him as well, yes.</p> <p>12 Q. And the focus was Mr. Hosseini; correct?</p> <p>13 A. Yes.</p> <p>14 Q. And Mr. Perry allegedly had information</p> <p>15 concerning Mr. Hosseini's conduct; correct?</p> <p>16 A. Yes.</p> <p>17 Q. And you found that relevant when you talked</p> <p>18 to Mr. Joseph Perry on December 22nd, 2003?</p> <p>19 A. Correct.</p> <p>20 Q. Relevant enough where you put it in a</p> <p>21 report; correct?</p> <p>22 A. Yes.</p> <p>23 Q. And you also thought that</p> <p>24 Mr. Hosseini's information that he gave you</p>